

## **REPORT OF THE ASSEMBLY OF REGULATORS, OF THE 19<sup>th</sup> EACO CONGRESS HELD AT ROYAL PALACE HOTEL IN BUJUMBURA, BURUNDI FROM 28<sup>TH</sup> – 30<sup>TH</sup> MAY 2012**

### **1.0 INTRODUCTION**

The Assembly of Regulators of the East African Communications Organization (EACO) took place from 28<sup>th</sup> to 30<sup>th</sup> May 2012 at Royal Palace Hotel, Bujumbura, Burundi.

The Assembly reviewed the implementation status of the Agreeds given in the 18<sup>th</sup> EACO Congress Report for the Assembly of Regulators. It also deliberated on many other relevant regional issues in the communications sector. The meeting consequently made a number of recommendations for consideration by the 19<sup>th</sup> EACO Congress.

### **2.0 ATTENDANCE**

The attendance of the Assembly of Regulators meeting were drawn from EACO Member States, namely Burundi, Kenya, Rwanda, Tanzania and Uganda.

### **3.0 OPENING OF THE MEETING**

The meeting was opened by the outgoing EACO Chairman, Mr. Francois Regis GATARAYIHA from Rwanda. He presented the report of the previous Assembly of Regulators and presided over the election of the Bureau.

### **4.0 ELECTION OF THE BUREAU**

Burundi was appointed as the Chair of the Regulators Assembly. Rwanda was elected as the first Rapporteur . Burundi and Kenya were elected as the second and third Rapporteurs respectively.

The Bureau was constituted as follows:

Chairman	Mr. Salvator Nizigiyimana	ARCT
1 <sup>st</sup> Rapporteur	Ms. Beata Mukangabo	RURA
2 <sup>nd</sup> Rapporteur	Mr. D. Jeremie Hageringwe	ARCT
3 <sup>rd</sup> Rapporteur	Ms Njeri Mwangi	CCK

### **5.0 ADOPTION OF AGENDA**

The Assembly adopted the Agenda attached as **Annex I**.

## 6.0 REPORT OF THE OUTGOING CHAIRPERSON

The report of outgoing chairman of EACO highlighted the main activities carried out since the last EACO Congress held in Rwanda.

All the task forces held their meetings as directed by the EACO Congress. RURA hosted 9 of the task force meetings, CCK hosted 3 meetings, TCRA hosted 5 meetings, ARCT hosted 6 meetings, and UCC hosted 2 meetings.

The Outgoing Chairman informed the Assembly that he made a number of visits and consultations in EACO member states to discuss key issues including:

- the establishment of EACO Secretariat;
- interim organisational structure;
- recruitment methods;
- job descriptions, key responsibilities, qualifications and experience, remuneration package and office requirements;
- financial requirements to run the Secretariat ;
- Rwanda's commitment to finance the first six months;
- headquarters building requirements ; and
- Status of EACO Taskforce Activities.

He informed the Assembly that RURA had purchased land at an approximate cost of US\$1.2 Million for the new headquarters of RURA on which will also be built the EACO Headquarters. RURA has also availed one floor in its current building to serve as the temporary accommodation for the EACO Secretariat.

Other developments of EACO during the chairmanship of Rwanda include the preparation and design of the EACO Logo by CCK as well as the design of the EACO Website by RURA.

With regards to the relationship with EAC, the outgoing Chairman informed the Assembly that consultations were still on-going and that EACO had been advised to review its Constitution in line with the requirements of EAC. This may lead to the redefinition of EACO Membership and determination of the nature of contribution by EACO members.

The outgoing Chair also informed the Assembly that the Rules of Procedure for EACO had been reviewed and EACO Membership Certificates were prepared by RURA.

The Assembly was also briefed about the meeting of the heads of the Regulatory Authorities held in Kigali on 26<sup>th</sup> May 2012 where the EACO Constitution was signed before the notary public for purposes of registration of EACO as a legal entity in Rwanda. The same meeting also

considered other issues relating to the setting up of EACO Secretariat; the recruitment of EACO Secretariat Staffs and key elements of the hosting agreement.

The outgoing Chairman thanked the Regulatory Authorities of the five EACO Member States and the various task forces and ad hoc committees for their respective efforts in implementing and following up the decisions of the EACO during the past one-year. In his remarks, the outgoing Chairman highlighted the pending issues that should be addressed by the in-coming Chairman. He therefore wished the incoming Chairman and Assembly fruitful deliberations

The report of this meeting is attached in **Annex II**

## **7.0 MATTERS ARISING FROM THE REPORT OF THE OUTGOING CHAIRMAN**

### **Noted :**

- (i) Burundi, Kenya, Tanzania and Uganda appreciated RURA's chairmanship and dedication as well as the work done by the various task forces. Member States commended the support and commitment of the Government of Rwanda.
- (ii) Member States recommended that an EACO strategic plan be developed by the Secretariat upon its establishment.
- (iii) Member States recommended that further consultation and benchmarking be done with similar institutions and organization on the issue of contribution and redefinition of membership. He also reiterated the need of involvement of the operators in this process.
- (iv) Tanzania reiterated the importance of using transparency in the recruitment of EACO Staff and rotation, as well as the contribution.

**Agreed 1:** The Assembly adopted the outgoing Chairman's report.

**Agreed 2:** The Assembly agreed as follows:

- i. Need for the development of the EACO Strategic plan.
- ii. To ensure transparency in the recruitment of EACO Staff
- iii. To adopt the principle of rotation in holding secretariat posts among member States

## **8.0 CONSIDERATION OF THE 18TH EACO ACTION MATRIX REPORT DERIVED FROM PREVIOUS ASSEMBLY MEETING REPORT AND MATTERS ARISING.**

The Assembly considered the 18<sup>th</sup> EACO Action matrix report. The action matrix report was updated and adopted by the Assembly. The action matrix is attached as **Annex III**.

## **9.0 CONSIDERATION OF THE REPORT OF THE TASK FORCES**

### **9.1 REPORT OF CYBERSECURITY TASK FORCE**

#### **Noted:**

- (i) The level of establishment of National CERTs in each of the East Africa countries together with the level of implementation of the recommendation of the last EACO Congress in relation with Cybersecurity related issues.
- (ii) The need for EACO Member States to continue the implementation of recommendations made by the Cybersecurity Taskforce towards establishment of national CERTs;
- (iii) Burundi has not joined the ITU/IMPACT initiative which provides technical support towards establishment of National CERTs;
- (iv) The need to establish national CERTs and to collaborate with other CERTs at the regional and international levels;
- (v) The need for the development and harmonization of national Cybersecurity laws with reference to the existing regional and international legal instruments on Cybersecurity;
- (vi) Some Cybersecurity Taskforce members have not benchmarked with established National CERTs;
- (vii) Participation of operators in the EACO Cybersecurity Taskforce activities is limited;
- (viii) The need for joint participation as EACO in the ITU/BDT forums organized by ITU on Africa regional level.

#### **Agreed:**

- (i) To adopt the report of the Cybersecurity Taskforce.
- (ii) To jointly participate in the ITU/BDT forums on Cybersecurity.
- (iii) To encourage Burundi to join the ITU/IMPACT initiative.

- (iv) To encourage the Cybersecurity Taskforce members to benchmark with established National CERTs;
- (v) The Regulators to extend invitations to operators to participate in the Cybersecurity Taskforce activities;

## **9.2 REPORT OF EAIXP TASK FORCE**

### **Noted:**

- (i) The two EAIXP Meetings took place in Kigali and Bujumbura respectively.
- (ii)** The deliberation, proceedings and recommendations of the EAIXP Task force meetings as attached in **Annex IV**
- (iii) The need to have an action plan to fastrack the establishment of EAIXP
- (iv) The need to agree on EAIXP topology
- (v) Need to cater for the issues of security, redundancy and ownership
- (vi) Challenge of interconnection of national IXP if they are not using the same protocol. Only one country has migrated to IPv6 while others are still running on IPv4
- (vii) The need to set a timeframe to consult the operators and agree on the most appropriate topology
- (viii) The importance of keeping traffic local
- (ix) Need to sensitize the political leaders to support the migration process of IPv4 to IPv6 as it will play an important role in the achievement of long term vision of each EAC member state.
- (x) Need to form EAIXP project that would be funded through UAF of East African Members Countries.

### **Agreed:**

- (i) To adopt the network ring topology as proposed by the task force
- (ii) To encourage all EAC Members States to have a clear and well structure national IXP

- (iii) EACO Secretariat to follow up this issue and to give it the priority in its Strategic Plan as soon as the Secretariat is set up
- (iv) Before the Strategic Plan is prepared, each country is to provide EACO Secretariat with its Regulations on IXP
- (v) EAIXP Task force to improve on the report by including details of the current status of national IXPs in each country

### **9.3 REPORT OF E-WASTE TASK FORCE**

#### **Noted:**

- (i) The e-waste task force has met on 28th May – 2nd June 2012 in Bujumbura, Burundi.
- (ii) Findings from analysis and mapping of the current status of policy and legal frameworks, ICT regulator initiatives, other stakeholder initiatives and challenges in EAC Members States
- (iii) Report on e waste management in Tanzania
- (iv) Need to bring on board relevant authorities dealing with Environment and taxes to join effort

The report of e-waste task force in **Annex V**

#### **Agreed**

- (i) To commend the work done by the e-waste taskforce and adopt it.
- (ii) The regulators to initiate a close collaboration with all relevant organizations dealing with waste management.

### **9.4 REPORT OF E-BANKING TASK FORCE**

#### **Noted :**

- (i) The presentation by e-banking taskforce
- (ii) Current status of legal framework within the EAC Members
- (iii) The need to expand the ToR to issue of security relating to electronic transaction and e-banking

- (iv) That there is a meeting being organized in Kampala where Central Banks will meet the ICT Regulators to discuss among others e-banking and e-transaction security issues
- (v) The need to change the name and the ToRs of the taskforce to include e-transaction and related issues such as PKI, Policy, Laws & Regulations

**Agreed**

- (i) To commend and adopt the e-banking and e-transaction taskforce
- (ii) To change the name of the task force to become e-transaction task force and to review the Terms of Reference to extend the current ToRs on e-banking to include e-transaction issues such e-commerce, PKI, Mobile/online application standards.

**9.5 THE REPORT OF CONSUMER PROTECTION TASK FORCE**

**Noted:**

- (i) The presentation by Consumer Protection taskforce
- (ii) Implementation of the recommendation of the last EACO Congress in relation with the consultation with operators on guidelines on roaming and marketing communication
- (iii) The Guidelines on roaming and marketing communication were circulated in all EAC member states and that some operators have not given the feedback as expected.
- (iv) One network concept was withdrawn without informing the consumers
- (v) The need to extend the terms of references of Consumer Task force or to establishment of a separate task force dealing with other related issues

**Agreed:**

- (i) To adopt Regional roaming Guidelines
- (ii) To adopt Marketing communication Guidelines
- (iii) To expand the mandate of the task force to cover other related issues

## **9.6 REPORT ON MOU TASKFORCE COMMITTEE**

### **Noted:**

- (i) The MoU Task force held two meeting to review the Proposed PARENET Constitution and develop an EACO position on the same and to consider various legal matters affecting EACO and the said Constitution.
- (ii) The recommendation to join PARENET as a bloc (EACO)
- (iii) Progress made with regard to the establishment of relationship with EAC and the need for EACO to make a formal application to the EAC for observer status.
- (iv) The need for the restructuring the membership category and the need for Regulators to contribute more as they have core responsibility in EACO
- (v) Three membership categories to wit; Member, Sector Member, Associated Member
- (vi) Reviewed rules and procedure for EACO in anticipation of the establishment of EACO Secretariat.
- (vii) The request to rename the MoU Taskforce to become EACO Constitution and Legal Affairs Committee

### **Agreed:**

- (i) To adopt MOU Taskforce Report
- (ii) To wait for EACO to fully establish before joining other organizations as a bloc
- (iii) Regulator members of EACO are free to join PARENET individually until the time that the decision on EACO's bloc membership of PARENET is reached
- (iv) Re-categorization of EACO Membership and definition of the contribution accordingly
- (v) Review of the Constitution to take into account the new membership category
- (vi) To apply to EAC as an Observer
- (vii) To adopt the revised rules of procedure for EACO



- (viii) To rename the MoU taskforce to become EACO Constitution and Legal Affairs Committee
- (ix) To table the issue of Membership contribution to the joint meeting with operators assembly for further consideration.

## **9.7 REPORT OF THE NUMBERING TASK FORCE**

### **Noted**

- (i) The Numbering Task Force held two meetings and the main responsibility to this task force has been to follow-up and report back to respective EACO Assembly of Regulators on the implementation/activation of short codes as were agreed to facilitate communication by East African Roamers seamlessly.
- (ii) The report of Numbering task force covers among others the Status on Equipment Identity Register, Status of the implementation of SIM Card Registration, Status on Short Code Harmonization, Status on the implementation of the Short Code 110 for lake safety, Status on Network Color Codes implementation, Status on the Implementation of Regional Access Codes, Management of short codes in EACO Country Members, Numbering fee structure and Future Work.
- (iii) The recommendation made by the Numbering Task Force including among others the registration of vendors and resellers within EAC Region, enhancement of the type approval procedures; Establish equipment database and speeding up SIM Card Registration Process
- (iv) Deadline for the implementation of harmonized short codes is already approved by the Congress but that it is partially implemented.

### **Agreed:**

- (i) That the report of EACO Task Force on Numbering Resources be adopted with some amendments.
- (ii) That the issue of the implementation of the Congress decision of harmonizing the short codes be discussed with the Operators during the joint meeting
- (iii) That all member countries start the registration process of mobile handsets vendors and resellers

- (iv) That the EACO Task Force on Numbering Resources continues to follow-up and report back to respective EACO Assembly of Regulators on the implementation/activation of short codes as were agreed to facilitate communication by East African Roamers seamlessly as well as the implementation of Network Colour Codes and Regional Access Code in the region;
- (v) That Regional Access Code 003 be assigned to Burundi upon country's formal application for the Code during the 19th EACO congress;
- (vi) That EACO Secretariat liaises with EAC secretariat for the timely implementation of the Maritime Communication for Safety on Lake Victoria (MCSLV) project so as to implement the short code 110;
- (vii) That Regulators should manage the entire spectrum of numbering resources within their respective countries and urge operators to ensure toll free access codes are activated;
- (viii) That Regulators should implement an Automated Short Code Information system for the harmonized codes;
- (ix) That the EACO member countries to nominate numbering officers to participate consistently in the Study Groups activities relevant to numbering both at the ITU, regional and Africa group forums in order to build capacity and influence regional interests. And, in order to increase level of participations and contributions, Members should take advantage of fellowships given to the developing countries.

## **9.8 REPORT OF THE TASK FORCE ON NUMBER PORTABILITY**

### **Noted**

- (i) The need to fast track implementation of MNP in the region.
- (ii) The need to continue with benchmarking and experience sharing activities.
- (iii) That Regulators should facilitate consultative processes on the implementation of number portability.
- (iv) That the countries should embark on public awareness campaign as they plan and implement number portability.

### **Agreed**

- (i) To benchmark with other regions on where number portability has been implemented
- (ii) That Kenya hosts the workshop on Mobile number portability before the 20th EACO Congress.
- (iii) That the taskforce on number portability coordinate its activities with the taskforce on numbering task force.

## **9.9 REPORT OF INFRASTRUCTURE SHARING TASK FORCE**

### **Noted:**

The presentation of the report of the Infrastructure sharing Task Force with the following recommendations:

- (i) The need to harmonise policy, legal and regulatory framework in relation to infrastructure sharing within the EAC region
- (ii) To review and harmonise activities of the EAIXP and infrastructure sharing taskforce.
- (iii) Review all activities that have been undertaken within the region for instance the EAC BIN projects, the ICT network policy document
- (iv) Benchmark with other countries where infrastructure sharing has been successful.
- (v) Laws should be put in place with regards to vandalism and the protection of telecommunication infrastructure within the region
- (vi) Member States should define a code and operational arrangements for way leaves between local governments, utility operators, and environment institutions among others to improve institutional co-ordination.
- (vii) The extent of sharing should not discourage infrastructure expansion
- (viii) Ensure that guideline takes into all infrastructure providers including broadcasting and ISPs whose CAPEX and OPEX are different

- (ix) Implementation of works done by EACO needs to be improved- For instance the guideline on cross-border and interstate connectivity should be followed up in terms of its implementation and effectiveness.

**Agreed:**

To adopt the structure of the model infrastructure sharing guidelines

**9.10 REPORT ON WRC 12**

**Noted**

- (i) The World Radiocommunication Conference 2012 (WRC-12) was held from 23<sup>rd</sup> January to 17<sup>th</sup> February 2012 in Geneva, Switzerland. Over 3000 participants, representing 165 Member States and 100 observers attended the four-week Conference.
- (ii) The WRC addressed more than 30 agenda items related to almost all terrestrial and space radio services and applications. These included spectrum for mobile broadband, aeronautical systems, satellite services including meteorological applications, maritime distress and safety signals, digital broadcasting, and the use of radio in the prediction and detection of natural disasters.
- (iii) The WRC-12 concluded its deliberations on 17th February 2012 with 153 countries having signed the Final Acts updating the Radio Regulations – the international treaty governing the use of the radio-frequency spectrum and satellite orbits to meet the global demand for radio-frequency spectrum. The goal, as stated in the ITU Constitution, is to ensure efficient and equitable access to spectrum and orbit resources.
- (iv) The Conference was attended by participants from the five EAC administrations, namely Burundi, EACO, Rwanda, Tanzania and Uganda.
- (v) The presentation by the Chairman of WRC 12 Preparatory Committee on the outcome of WRC 12 with the following recommendations:
  - 1. EACO member countries update their Table of frequency allocation based on the Final Acts of the WRC-12.

2. The EACO member states disseminate the information on the decisions of WRC-12 to their respective stakeholders and sensitize them on the impact of these decisions.
3. The Regulatory agencies bring this matter to the attention of their respective governments with a view to having their respective governments to ratify the Final Acts of WRC-12.
4. Considering how useful the delegates manual proved to be during WRC-07 and again during WRC-12, the EACO delegates manual becomes a constant and mandatory document for all delegates in all the future Conferences.
5. In view of the ever-increasing difficulty and complexity of satellite coordination, the EACO countries commence the requisite arrangements for a possible launch of a GSO satellite in the next 10 years.

**Agreed:**

- (i) That the report of WRC 12 be adopted
- (ii) That the national table of frequency allocation should be updated by 2013
- (iii) To encourage all member states to process with formal ratification of the final acts of WRC 12

**9.11 REPORT ON EACO PREPARATION TOWARDS WRC15**

**Noted**

- (i) The issues to be discussed during the WRC15 include Mobile and Amateur issues; Science Services; Aeronautical, Maritime & Radiolocation issues; Satellite services; Satellite Regulatory issues and General issues.
- (ii) The first CPM Meeting was held after the WRC 12
- (iii) That EACO members should constitute national preparatory Committees comprising of Regulators, Telecom operators, Broadcasters, Security agencies, Aeronautical and maritime authorities, Meteorological/ atmospheric science and agencies, Ministries/ Agencies responsible for National science and research
- (iv) The need for setting aside sufficient funds to attend Study Group and Working Party meetings and maintaining consistency as much as possible in the CPM and other participatory meetings.

- (v) Need to elect the next chair/coordinator of EACO preparation for WRC 15 between Rwanda and Burundi based on EACO tradition of rotation.

**Agreed**

That Rwanda will chair the WRC 2015 EACO Preparatory Committee

**9.12 REPORT OF QoS TASK FORCE**

**Noted**

- (i) The presentation of the QoS Taskforce highlighting the challenges being faced by EACO members in relation with QoS monitoring and enforcement.
- (ii) Different status of reporting system and auditing system of QoS in EACO Members
- (iii) The need to consider reinstatement of Enforcement Task Force or considering extending enforcement task to the relevant task force already in place.
- (iv) Active participation in ITU T Study Group 12 dealing with QoS and Qo Experience

**Agreed**

- (i) To adopt the report and to request all administrations to implement the recommendation of the report.
- (ii) That the QoS Task force come up with enforcement strategies to make operators comply with QoS Parameters and to report in the next EACO Regulatory Assembly meeting.

**9.13 REPORT OF TEL TRAFFIC MONITORING TASK FORCE**

**Noted**

- (i) That the Meeting of the Task Force on Tele Traffic Monitoring was held in Bujumbura, Burundi.
- (ii) That the task force needs to carry out further consultations on this matter.

**9.14 REPORT OF THE TASK FORCE ON HARMONISATION OF CONVERGED/ UNIFIED LICENSING FRAMEWORK**

**Noted:**

- (i) The presentation of the task force on harmonisation of converged/unified licensing framework on the progress made by this task force.
- (ii) That the legal frameworks on converged/unified licensing frameworks in the EAC member states are at different stages.

**9.15 REPORT OF THE EACO POSTAL REGULATION AND DEVELOPMENT TASK FORCE MEETING**

**Noted**

The presentation of the Report of the task force Meeting held on 12th to 13th March 2012 in Kampala, Uganda.

**Agreed**

- (i) Review of ToR of the task force as follows:
- (ii) To consider the recommendations contained in the Report.

**10.0 AOB**

**10.1 BRIEF ON WORLD CONFERENCE ON INTERNATIONAL TELECOMMUNICATIONS (WCIT- 12)**

**Noted:**

- (i) The presentation by TCRA of a paper on the preparation of WCIT-12 to be held in Dubai, United Arab Emirates from the 3<sup>rd</sup> to 14<sup>th</sup> December 2012 and giving an overview of the International Telecommunication Regulations (ITRs) and the process of their review
- (ii) The importance for EACO Member to actively participate in the WCIT-12 and in its preparation process
- (iii) The resolution of African Region/group to support WCIT 2012 aiming at reviewing and updating ITRs

## **10.2 BRIEF ON THE PREPARATION OF WORLD TELECOMMUNICATION STANDARDIZATION ASSEMBLY (WTSA 2012)**

### **Noted**

- (i) The presentation by TCRA on the forthcoming WTSA to be held from 20<sup>th</sup> to 29 November 2012 by giving an overview of WTSA, its objectives, structure as well as some practical information on the organization and participation in WTSA 12.
- (ii) EACO Standardization Group was adopted and approved by the ITU-T SG2.

### **Agreed :**

To encourage the member states to participate in the WTSA Meeting and in other similar meetings

## **10.3 BRIEF ON THE OVERVIEW OF INTERNATIONAL TELECOMMUNICATION REGULATIONS (ITRs)**

### **Noted**

Presentation by TCRA on the overview of international telecommunication regulations (ITRs)

### **Agreed**

- (i) To commend the presentation made by TCRA
- (ii) To go to Dubai with one voice as EACO

## **10.4 REVIEW OF STB MINIMUM SPECIFICATION FOR EACO STATES MEMBERS**

### **Noted**

Brief Presentation on Minimum specification of STB by BTTF, the proposed options with advantages and disadvantages of each as well as the recommendations.

### **Agreed**

That the recommendation be passed on to the Broadcasting Assembly for further consideration.



## **10.5 BRIEF ON FORTHCOMING PAPU AND UPU CONFERENCES**

### **Noted:**

- (i) Uganda briefed the assembly on the Administrative Council and Plenipotentiary Conference of the Pana Africa Postal Union (PAPU) to be held in Addis Ababa, Ethiopia from the 4<sup>th</sup> to 14<sup>th</sup> July 2012 and the UPU Congress to be held in Doha, Qatar from 24<sup>th</sup> September to 13<sup>th</sup> October 2012.
- (ii) Uganda encouraged the EACO Members to actively participate in these conferences, as the important decisions will be taken there including the election for the top positions of both UPU and PAPU.
- (iii) Uganda informed the Assembly that it has presented its candidature for seats to Administrative Council of PAPU and Council of Administration of the UPU and that he called the EACO Members for supporting Ugandan candidature.

## **10.6 BRIEF ON THE PREPARATIONS FOR ITSO ASSEMBLY OF PARTIES (AP-35) MEETING**

### **Noted**

- (i) That the 35th ITSO Assembly of parties (ITSO - AP 35) meeting shall be held in Kampala from July 3-6, 2012 at the Serena Conference Centre and that the Government of Uganda has put in place an elaborate structure to ensure the success of the meeting.
- (ii) That EACO Members are encouraged to attend the 35th ITSO Assembly Meeting